

### REMARKS

This is in response to the Office Action dated June 18, 2003. Claims 1-5 have been canceled; new claims 10-11 have been added. Thus, claims 6-11 are now pending.

For purposes of example and without limitation, certain example embodiments of this invention relate to an apparatus for forming a film comprising titanium oxide. In certain example embodiments, titanium inclusive gas is fed into a first dispersion head and at least one gaseous compound of a dopant element is fed into a second dispersion head. As shown in Figs. 5-6 for example, the dispersion head for the titanium gas is closer to the silicon substrate than is the dispersion head for the gaseous compound of a dopant element. Example advantages are discussed from page 25, line 20 to page 26, line 3.

The figures and specification have been amended as suggested by the Examiner. See the amendments set forth above.

Claim 6 stands rejected under Section 102 as being allegedly anticipated by Oda. This Section 102 rejection is respectfully traversed for at least the following reasons.

Claim 6 requires "means for introducing the gaseous titanium compound into a first dispersion head, and means for introducing the gaseous compound of a dopant element into a second dispersion head, means for positioning a bottom discharge end of the first dispersion head for the gaseous titanium compound closer to a surface of the silicon substrate than is a bottom discharge end of the second dispersion head for the gaseous compound of a dopant element." For example, Figs. 5-6 of the instant

application illustrate that the dispersion head for the titanium gas is closer to the silicon substrate than is the dispersion head for the gaseous compound of a dopant element.

Example advantages are discussed from page 25, line 20 to page 26, line 3.

Oda, in Fig. 10, discloses an apparatus including nozzles which are located different distances from the underlying substrate (e.g., col. 8, lines 9-28). However, Oda clearly fails to disclose or suggest that, in making a titanium oxide inclusive film, a dispersion head for the titanium inclusive gas is closer to the silicon substrate than is the dispersion head for a gaseous compound of a dopant element. Oda discloses nothing akin to this, and is entirely unrelated to the invention of claim 6 in this regard.

Moreover, the aforesaid underlined aspects of claim 6 are in *means-plus-function* form in accordance with 35 U.S.C. Section 112, paragraph 6. The recited functions cannot be ignored. The statute itself requires the Examiner to consider the recited functions as positively recited claim limitations. Again, Oda clearly fails to disclose or suggest that, in making a titanium oxide inclusive film, a dispersion head for the titanium inclusive gas is closer to the silicon substrate than is the dispersion head for a gaseous compound of a dopant element.

New claim 10 requires "positioning a bottom discharge end of the first dispersion head for the gaseous titanium compound closer to a surface of the silicon substrate than is a bottom discharge end of the second dispersion head for the gaseous compound of the dopant element." Again, the cited art fails to disclose or suggest this aspect of claim 10.

Oda also fails to disclose or suggest the range of claim 7.

UI et al

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For at least the foregoing reasons, it is respectfully submitted that all rejections should be withdrawn. All claims are in condition for allowance. If any minor matter remains to be resolved, the Examiner is invited to telephone the undersigned with regard to the same.

Respectfully submitted,

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